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OLC 75-0125

15 January 1975

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Chairman Thomas E. Morgan, House Foreign Affairs Committee, and Marian Czarnecki, Regarding Covert Activities

1. The Director and I met with Chairman Morgan and Mr. Marian Czarnecki, of the Committee staff, this afternoon in Dr. Morgan's office for the purpose of a preliminary discussion on the ways and means of complying with the provision of Section 662 of the Foreign Assistance Act of 1961, as amended. That Section requires that before funds may be expended for covert action programs abroad, the President must make a finding that they are important to the national security and a report must be made to the appropriate committees of Congress, including Foreign Affairs and Foreign Relations Committees.
2. After some preliminary discussion of the events that are occurring within the Democratic Caucus over the chairmanship of the various committees, the Director brought up the subject of our compliance with Section 662 of the Act. He said the President had made a finding on these activities and we were now in a posture to brief those members of the Foreign Affairs Committee designated by Morgan to be the recipients of such briefings. The Chairman said it was his intention to reconstitute the old Mutual Security Subcommittee for the purpose of receiving these briefings and said it was his intention to include Representatives Leo Ryan and Lee Hamilton on this Subcommittee. He said the organizational problems the House has been having have slowed things down a good bit and it will probably be several days if not weeks before the Foreign Affairs Committee is sufficiently organized to receive the briefings.

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3. We discussed the problems that have been encountered in the past on maintaining the security of certain sensitive information in the House of Representatives with specific reference to House Rule XI C that provides that any member of the House may have access to the transcripts and records of any Committee of the House. We discussed the possibility of providing the briefing without a transcript but with notes which I would take on the subjects covered in the briefing. I would then clear my notes with Czarnecki to assure his agreement as to their accuracy. I would then retain those notes in our files subject to call by the Committee. This appeared to be a satisfactory arrangement since both the Chairman and Mr. Colby appreciated the benefits both to the Committee and to the Agency of having some kind of record of the topics covered in the event a question might arise in the future. None of these arrangements were finalized, however, but were to be given some thought while we are waiting to get together with the group for the actual briefing.

4. At the end of the discussion, the Director showed the Chairman and Czarnecki a copy of the NID and offered to make it available to the Committee under proper controls. It was agreed that we would get together with Czarnecki in the next few days and work out arrangements for delivery of the NID to him. The Chairman instructed Czarnecki to make this document available only to himself and Ranking Minority member Broomfield for the moment. I will make arrangements with [redacted], OCI, to follow up on this.

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GEORGE L. CARY
Legislative Counsel

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NOTE: THE ATTACHED MEMORANDUM FOR THE RECORD
HAS BEEN PUT ON SPECIAL PAPER FOR THE SCANNER.

14 OCTOBER 1975

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